



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

PUBLIC AFFAIRS

April 8, 2008

In reply refer to: DK-7

Mr. Daniel Seligman
Attorney at Law
Columbia Research Corp.
P.O. Box 99249
Seattle, WA 98139

RE: FOIA #08-037

Dear Mr. Seligman:

Thank you for the request for information that you made to the Bonneville Power Administration (BPA), under the Freedom of Information Act (FOIA), 5 U.S.C. 552. Your letter was received in this office on Wednesday, April 2, 2008, and has been assigned a controlled number, 08-037. Please use this number in any correspondence with the Agency about your request.

After reviewing your request, it was determined that you addressed all the criteria of a proper request under the FOIA, DOE, and BPA regulation that implements the FOIA at Title 10, Code of Federal Regulations, Part 1004. You have agreed to pay \$50 in search and copy charges.

You have requested the following:

1. A copy of all communications from May 2, 2007 to the present between BPA and the region's investor-owned utilities ("IOUs") regarding the Residential Exchange Program ("REP"), the legality of the REP settlement agreements, the suspension of REP settlement payments, the interim rate relief contracts ("standstill" contracts) and the design of a new REP program that complies with the Ninth Circuit decisions in *Portland General Electric v. BPA Golden Northwest v. BPA and Public Utility District No. 1 of Snohomish County v. BPA*. The term "communications" includes all written and electronic communications, including emails and their attachments, whether generated by BPA, the IOUs or a third party.
2. All agendas and meeting notes for conference calls and meetings between BPA Administrator Wright and representatives or agents of the IOUs between May 2, 2007 to the present to discuss the REP, the legality of the REP settlement agreements, the suspension of REP settlement payments, the interim rate relief contracts and the design of anew REP program that complies with the court decisions cited above.

Mr. Mark Gendron, VP, NW Requirements Marketing, has been designated as Authorizing Official for your request. Mr. Gendron has 20 working days, until Wednesday, April 30, 2008, to provide a response. Should you have any questions, Mr. Gendron may be reached by calling 503-230-7640.

I appreciate the opportunity to assist you with this matter. If you have any questions about this letter, please contact Laura M. Atterbury, FOIA/Privacy Act Specialist, at 503-230-7305.

Sincerely,

/s/ Christina J. Brannon

Christina J. Brannon
Freedom of Information Act/Privacy Act Officer